

REMARKS

Claims 1-7 and 9-23 were pending in this application with claim 8 being previously cancelled and claims 16-17 being provisionally withdrawn from consideration. By this paper, Applicant amends claims 1-3, 6-7, 9-14 and 18-19 and cancels claims 4-5, 15 and 20-21. No claims have been added. Accordingly, upon entry of this paper, claims 1-3, 6-7, 9-14, 16-19 and 22-23 will be pending. Favorable reconsideration is respectfully requested in light of the foregoing amendments and the following remarks.

I. Support For Amendments To The Claims

To assist the Office in locating support within the originally-filed specification for the amendments to the claims, Applicant provides the following remarks. As discussed below, reference is made to paragraphs [0005], [0011] and [0013] of the publication of the application (i.e., U.S. 2006/0246238A1).

Firstly, Applicant points to paragraphs [0005] and [0013], which states that an aim of the present invention is to eliminate an air gap between the vehicle roof and a headliner. As such, when an air gap does not exist between the vehicle roof and the headliner, the vehicle roof and headliner are disposed adjacent one another. Further, paragraph [0011] indicates that the film layer (14) includes a polymer material (such as polypropylene) that is *coated* with a metallic material to form the metalized film layer (14). To further assist the Office with the above remarks, a visualization is provided below, which is a marked-up view of Figure 1.

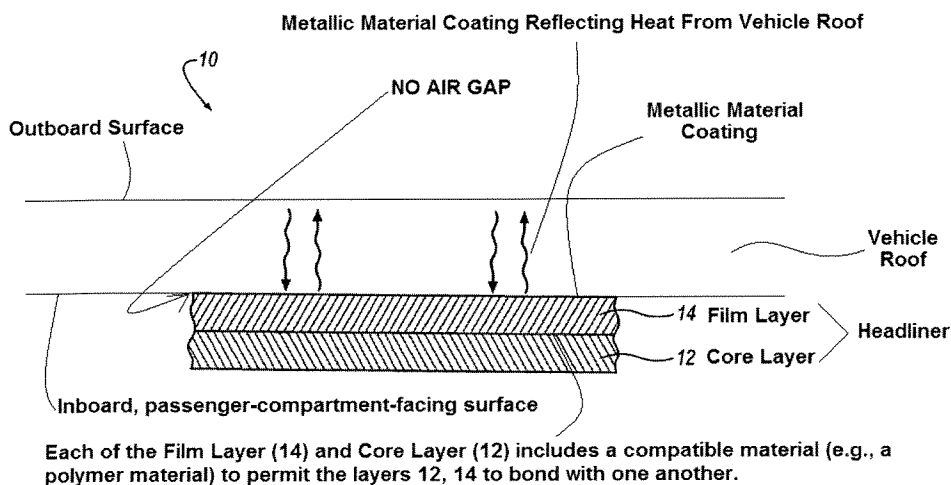


FIG. 1
(Marked Up)

II. Rejections of the claims under 35 U.S.C. § 102 and 35 U.S.C. § 103

A. Claims 1-2, 4-6, 9, 10 and 12-14 were rejected under 35 U.S.C. § 102(a) as being anticipated by U.S. Patent Publication No. 2004/0124668 to Ogawa (“Ogawa”).

B. Claims 1-5, 7, 9-13 and 15 were rejected under 35 U.S.C. § 102(a) as being anticipated by U.S. Patent No. 4,068,034 to Segawa (“Segawa”).

C. Claims 5, 14, and 18-23 were rejected under 35 U.S.C. § 103(a) over Segawa in view of Ogawa.

D. Claims 22 and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Segawa as applied to claim 18 above and further in view of Ogawa.

E. Claims 9-15 and 18-21 were rejected 35 U.S.C. § 103(a) as being unpatentable over Segawa in view of Ogawa and in further view of U.S. Patent No. 4,851,283 to Holtrop (“Holtrop”).

In light of the amendments to the claims and the following remarks, the above rejections are respectfully traversed.

Regarding Independent Claims 1, 9 and 18

Applicant submits that none of Ogawa, Segawa and Holtrop, when taken individually or in any permissible combination teaches, suggests or discloses “*A vehicle panel disposable adjacent a vehicle roof having a non-flat, contoured, passenger-compartment-facing inboard surface, comprising: an interior trim panel for trimming a passenger compartment of a vehicle including a core layer, and a film layer bonded to the core layer, wherein the core layer includes a first material having heat absorbing or insulating properties, wherein the film layer includes a second material having heat-reflecting properties, wherein each of the first material and the second material includes a polymer material, wherein the second material that forms the film layer is coated with a metallic material to define a heat formable metalized film layer, wherein said heat formable metalized film layer is formed to define a non-flat topography that matches the non-flat, contoured, passenger-compartment-facing inboard surface of the vehicle roof;*” as recited in independent claim 1.

Applicant also submits that none of Ogawa, Segawa and Holtrop, when taken individually or in any permissible combination teaches, suggests or discloses “*An assembly of a vehicle including at least two panels, comprising: a structural outer roof panel of a vehicle having a non-flat, contoured, passenger-compartment-facing inboard surface; and a passenger compartment interior trim panel disposed adjacent the structural outer roof panel of the vehicle,*

wherein the passenger compartment interior trim panel includes a core layer, and a heat formable metalized film layer bonded to said core layer, wherein said heat formable metalized film layer forms a non-flat topography of an outboard surface of the passenger compartment interior trim panel that matches the non-flat, contoured, passenger-compartment-facing inboard surface of the structural outer roof panel of the vehicle to provide means for eliminating an air gap between the structural outer roof panel of the vehicle and the passenger compartment interior trim panel,” as recited in independent claim 9.

Applicant also submits that none of Ogawa, Segawa and Holtrop, when taken individually or in any permissible combination teaches, suggests or discloses “*A vehicle roof construction comprising: an outer structural panel having an outer surface and a passenger-compartment-facing inboard surface, wherein the outer structural panel forms a non-flat vehicle roof; and an interior trim panel having a vehicle-roof-facing outboard surface and an inner surface, wherein the interior trim panel forms a headliner adjacently-attached to the passenger-compartment-facing inboard surface without an air gap therebetween, wherein the headliner includes a thermoformed film layer facing and attached to said passenger-compartment-facing inboard surface of said vehicle roof; and a core layer heat bonded to said film layer, wherein the core layer includes a first material having heat absorbing or insulating properties, wherein the film layer includes a second material having heat-reflecting properties, wherein each of the first material and the second material includes a polymer material, wherein the second material that forms the film layer is coated with a metallic material to define a metalized film layer,” as recited in independent claim 18.*

Claims 2-3 and 6-7 depend from independent claim 1, claims 10-14 and 16-17 depend from independent claim 9 and claims 19 and 22-23 depend from independent claim 18 and each include patentably-distinct limitations. For at least the above remarks, the rejections to claims 1-3, 6-7, 9-14, 16-19 and 22-23 should be withdrawn. Allowance of claims 1-3, 6-7, 9-14, 16-19 and 22-23 is requested.

Conclusion

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-3145, under Order No. 209546-104849 from which the undersigned is authorized to draw.

Dated: 6/25/2009

Respectfully submitted,

By Thomas J. Appledorn

Thomas J. Appledorn

Registration No.: 59,348

HONIGMAN MILLER SCHWARTZ AND
COHN LLP

38500 Woodward Avenue

Suite 100

Bloomfield Hills, Michigan 48304-5048

(248) 566-8522

Attorney for Applicant